



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street

San Francisco, CA 94105-3901

Commanding Officer
Engineering Field Activity West
Naval Facilities Engineering Command
Attn: Mr. Jerry Hemstock (Code 703JH)
900 Commodore Drive
San Bruno, California 94066-5006

MAY 13 1999

Dear Mr. Hemstock:

The Environmental Protection Agency (EPA) has reviewed the **Draft Environmental Impact Statement (DEIS) For the Disposal and Reuse of Naval Air Station Alameda and the Fleet and Industrial Supply Center, Alameda Annex and Facility, Alameda, California.** Our review is provided pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality (CEQ) Regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act. EPA has previously responded to the United States Navy's (USN) Notice of Intent (NOI) in our letter dated March 26, 1996.

The USN proposes to dispose of the Naval Air Station (NAS) Alameda and the Fleet and Industrial Supply Center, Alameda Annex and Facility (FISC Annex) for reuse by public and private entities. This action has been mandated by the Defense Base Closure and Realignment Act ("BRAC," "Public Law 101-510) of 1990, as amended. The City of Alameda is the local non-federal lead agency and is separately preparing an Environmental Impact Report (EIR) required by the California Environmental Quality Act (CEQA).

Two Federal agencies have requested the transfer of property and facilities at NAS Alameda. The US Coast Guard (USCG) requested the transfer of approximately 69 acres which includes 582 housing units at Marina Village, North Housing, and Building 545. Subsequently the USCG indicated their desire to pursue a leaseback arrangement with the City of Alameda in lieu of a transfer as allowed by the Defense Authorization Act. In addition, the US Fish and Wildlife Service (USFWS) has requested the transfer of 525 acres of dry land and 375 acres of submerged land for a total of 900 acres to establish a wildlife refuge.

The proposed action for the remaining 1,693 acres at NAS Alameda/FISC Alameda is the disposal and conveyance of Federal property to the City of Alameda. Alternatives analyzed in this DEIS are the Preferred Alternative (Reuse Plan Alternative), a Seaport Alternative, a Residential Alternative, a Reduced Density Alternative, and the No Action Alternative.

Based upon our review, we have rated the Draft EIS as EC-2, Environmental Concerns-Insufficient Information (please see attached Summary of EPA Rating Definitions). This rating

reflects our conclusion that while the analysis does contain an informative discussion of the proposed action and its alternatives, we have concerns about both the separation of the Environmental Impact Report from this DEIS and hazardous materials and wastes. We believe that these issues should be discussed in greater detail and included in the Final EIS (FEIS). Our detailed comments are enclosed.

We appreciate the opportunity to comment on the proposed project and request that two copies of the Final EIS be sent to my attention (mailcode CMD-2) at the letterhead address at the same time it is filed with our Washington D.C. office. If you have any questions or wish to discuss our comments, please contact me at (415) 744-1584 or Mark Bartholomew of my staff at (415) 744-1522.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Farrel', with a stylized flourish at the end.

David J. Farrel, Chief
Federal Activities Office

enclosures

cc: Cynthia Elliason and David Berger, City of Alameda
Lynn Suer, (SFD 8-2)

SEPARATION OF THE ENVIRONMENTAL IMPACT REPORT FROM THE EIS

In Section 1.0 Purpose and Need For Action of the DEIS, it states "This EIS was originally being prepared as a joint document to fulfill the requirements of both NEPA and the California Environmental Quality Act (CEQA). The CEQA lead agency was the City of Alameda. However, the City is currently preparing a separate environmental impact report (EIR) to analyze the impacts from the reuse of NAS Alameda/FISC Alameda. The EIR will undergo a separate public review process."

The bifurcation of these two environmental processes is in direct conflict with the Council on Environmental Quality (CEQ) Regulations (40 CFR Parts 1500-1508), as follows:

- Section 1500.2 © Policy, states that "Federal agencies shall to the fullest extent practicable...Integrate the requirements of NEPA with other planning and environmental review procedures required by law or by agency practice so that all such procedures run concurrently rather than consecutively."
- 1506.2 Elimination of Duplication with State and Local Procedures;
- 1506.4 Combining Documents
- 1500.4 Reducing Paperwork

The Navy should, in the FEIS disclose the reasons why the two documents were separated. We are concerned about any mitigation identified during the separate EIR process which may need to be included within the Navy's Record of Decision (ROD).

HAZARDOUS MATERIALS AND WASTE

1. Page 3-169, first paragraph. The FEIS should contain a statement which clarifies that the covenant warranting that all remediation necessary to protect human health and the environment must be signed by the U.S. Environmental Protection Agency, pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Section 301 (h)(3).
2. Page 3-173. fourth paragraph. It is unlikely that the Federal Facilities Site Remediation Agreement (FFSRA) will be signed and implemented, because a Proposed Rule for placing Alameda NAS on the National Priorities List (NPL) for Uncontrolled Hazardous Waste Sites was

recently published (Federal Register/Vol. 64, No. 89/Monday, May 10, 1999). Pending the final decision on the Proposed Rule, an FFA (Federal Facilities Agreement) will be negotiated in lieu of an FFSRA.

3. Page 3-176, third paragraph. See Comment 2 on development of an FFA under an NPL Listing.

4. Page 3-179, first paragraph. The schedule for the final Operable Unit (OU) Remedial Investigation (RI) for Site 2 has slipped. The draft will not be released until June, 1999; therefore, the final will not be completed until at least October, 1999.

5. pp. 3-178 - 3-186. The RI schedule for all OU2 sites has slipped, so that the final RI is not due to be released until at least October, 1999. These sites include Site 2, 3, 4, 5, 9, 10, 11, 12, 13, 14, 19, 21, 22, 23, and 25. Therefore, all references to completion of the Final OU2 RI in August, 1999 should be revised.

6. Section 3.13.6 Polychlorinated Biphenyls. The FEIS should point out that PCBs are a major contaminant within the sediments of Seaplane Lagoon (Site 17). Waste oils and other PCB-containing liquids were discharged directly to the lagoon through the storm drain system for many years. This information should be included in this section, since these sediments may need remediation to accommodate the proposed reuse (marina).

7. Section 3.13.12 Ordnance. This section in the FEIS should include information on unexploded ordnance (UXO). During an initial survey conducted in conjunction with a radiological removal action in 1998, UXO was found at Site 1 near the firing range and was disposed of by the Air Force. The area has since been fenced off to prevent access, and further surveys will be conducted to further define the extent of UXO contamination.

8. Section 3.13.14. Marsh Crust. This section in the FEIS should be updated to include more recent information to indicate that the layer of contaminated sediment extends beyond the boundary of the marsh crust to include what is called "subtidal deposits." The presumed extent of the marsh crust/subtidal deposit layer of contamination is greater than described in this section. Information regarding this layer is further described in the recent "Draft Base-Wide Focused Feasibility Study for the Former Subtidal Area and Marsh Crust and Groundwater" for the Fleet and Industrial Supply Center Oakland, Alameda Facility/Alameda Annex and Alameda Point, Alameda, California, (February 20, 1999).